

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

**FILED**

APR 25 2000

NANCY MAYER-WHITTINGTON, CLERK  
U.S. DISTRICT COURT

In re: Vitamins Antitrust Litigation

This filing relates to:  
First Consolidated Amended  
Class Action Complaint Relating  
to Vitamin B-3 (Niacin and  
Niacinamide)

Misc. No. 99-0197 (TFH); MDL 1285

**STIPULATED ORDER REGARDING DEGUSSA HULS CORPORATION'S MOTION  
TO DISMISS PLAINTIFFS' CLAIMS REGARDING BROKERS AND  
SUBSTITUTE PRODUCTS, OR FOR A MORE DEFINITE STATEMENT**

Whereas paragraph 26 of the First Consolidated Amended Class Action Complaint Relating to Vitamin B-3 (Niacin and Niacinamide) ("Complaint") alleges a class of direct purchasers including "brokers", and

Whereas paragraph 50(b) of the Complaint alleges that "the price of substitute products for vitamin B-3 products purchased by plaintiffs (and the plaintiff class) has been fixed, raised, maintained and stabilized at artificial and non-competitive levels", and

Whereas DeGussa Huls Corporation ("DeGussa") has filed a motion to dismiss plaintiffs claims regarding brokers and substitute products, or alternatively, for a more definite statement.

IT IS HEREBY STIPULATED, AGREED, AND ORDERED that:

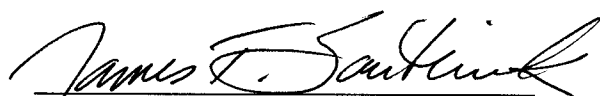
Plaintiffs claims with respect to brokers include only brokers who purchased vitamin B-3 products for their own account, and

Plaintiffs claims with respect to substitute products do not allege that DeGussa conspired to fix the price of any substitute products, but rather alleges that plaintiffs were damaged by increased

prices for substitute products resulting from the alleged conspiracy to fix the price of vitamin B-3 products, and

DeGussa Huls Corporation's motion to dismiss or for a more definite statement with respect to brokers and substitute products is withdrawn without prejudice to DeGussa's right to renew the motion in the future.

So Stipulated:

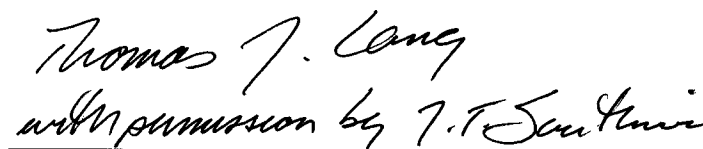


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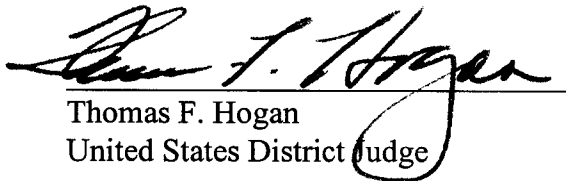


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So Ordered:

  
Thomas F. Hogan  
United States District Judge